

TENANCY FRAUD POLICY

Tenancy fraud involves obtaining social housing by someone who is not entitled to it. People who commit tenancy fraud take homes away from people in genuine housing need. It is also a criminal offence and can result in a prison sentence of up to 10 years and an unlimited fine. Tenancy fraud costs the public purse £1.2 million a year.

Over the next few pages, we'll tell you about our approach to tenancy fraud, our commitment to tackling it and outline how we ensure that our homes are used properly and in line with legal requirements. This policy may include some unfamiliar words and phrases, so we have provided a description of what they mean on page 8.

If you think you know someone who is committing tenancy fraud, please let us know by calling **0300 555 0600** or visiting our website (**onward.co.uk/tenancy-fraud**). Any reports can be made confidentially.

If you need any help understanding the information in this document, please give us a call on **0300 555 0600**, send us a message on WhatsApp to **07418 344 603** or send an email to **customerservices@onward.co.uk**.

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| Linked documents | Neighbourhood Management Policy, Tenancy Policy, Allocations Policy, Succession Policy and Right to Buy Policy. |
| Date implemented | December 2025 |
| Policy lead | Joanne Danaher, Director of Housing and Home Ownership |
| Approved by | Onward Executive Team |
| Approved on | 16 December 2025 |
| Date of next review | December 2027 |
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POLICY OVERVIEW.

There are six different types of tenancy fraud to be aware of:

1. **Subletting** – someone rents out their home (for profit or not) which includes when parents move out and let their adult children remain.
2. **Housing by deception** – someone gets a home, including Shared Ownership, by giving false information on their housing, transfer or mutual exchange application to us, another landlord or to the Local Authority.
3. **Succession Fraud** – where the person living in the property dies and someone takes over the tenancy, which they are not entitled to.
4. **Key selling** – a customer receives a one off payment to give the keys of a property to someone who is not entitled to live there.
5. **False Right to Buy/Right to Acquire** – a customer or resident makes a Right to Buy or Right to Acquire application and gives false information.
6. **Unlawful Assignment** – a resident stops using their tenancy as their main or principal home and they then let another person live there without permission.
7. **Abandonment** – Someone moves out of their home leaving it empty and do not tell us, so they are not using the social home for a social purpose and informing us of their change in circumstances. This is also fraud.

Our approach to tenancy fraud involves:

1. Raising awareness amongst colleagues and customers
2. Putting measures in place to prevent tenancy fraud
3. Enforcement to regain possession of properties, pursue unlawful profits made and pursue criminal cases
4. Working with partners to prevent and detect tenancy fraud.

We will treat all reported cases confidentially and professionally. We are also committed to monitoring, reviewing and reporting on tenancy fraud cases, highlighting our successes, challenges and lessons.

TENANCY FRAUD - FULL POLICY.

1. Aim:

- 1.1. This policy outlines Onward's approach to dealing with social housing tenancy fraud to ensure compliance with legislation and regulation. It ensures that homes are not obtained or used fraudulently and helps to ensure that social housing is reserved for those in genuine housing need
- 1.2. The policy also outlines how Onward will:
 - a. Raise awareness amongst colleagues and customers
 - b. Prevent and detect tenancy fraud
 - c. Deal effectively and efficiently to reports of suspected tenancy fraud
 - d. Work in partnership with a variety of partners including local authorities, the DWP and other registered providers to tackle cases of suspected tenancy fraud

2. Scope

- 2.1. This policy applies to the following tenures:
 - a. General needs tenancies
 - b. Supported housing
 - c. Sheltered housing
 - d. Shared Ownership
- 2.2. It is expected that the following colleagues and partners follow and support the policy:
 - a. All colleagues across the business – Suspected tenancy fraud can be reported to, or can come to the attention of any colleague across the business. Where a colleague becomes aware of suspected tenancy fraud this must be reported to the relevant Neighbourhood Specialist or Supported Housing Specialist.
 - b. Onward Legal Services colleagues – Where tenancy fraud has been detected Neighbourhood Specialists may require support and guidance from our legal services colleagues.
 - c. Contractors – Where suspected tenancy fraud is reported to contractors or where they suspect tenancy fraud is occurring this must be reported to Onward.

3. What is tenancy fraud?

- 3.1. There are a number of definitions of tenancy fraud, the most common being:

3.2. Subletting

- 3.2.1. This is when the tenant of a social housing property moves out of their home and sublets their entire property, without the knowledge of the landlord, and invariably charges rent to the occupants.
- 3.2.2. When the parent tenant moves out and leaves their adult children in the property who may or may not be authorised occupiers. Even if rent isn't charged, this is still a criminal offence.
- 3.2.3. Subletting part of the property without the landlord's consent.

3.3. Obtaining housing by deception

- 3.4. This is when a person applying for social housing does not tell the truth to us, another social landlord or the Local Authority to obtain housing, including Shared Ownership. For example:
- a. Not disclosing that they are already renting another home
 - b. Failure to disclose that they are a homeowner
 - c. Saying that they are homeless when they are not
 - d. Not declaring unspent convictions and antisocial behaviour (ASB)/criminal behaviour where civil legal action has progressed
 - e. Using false documents as ID, for example passports and driving licences
 - f. Providing false information such as the number and ages of children, their correct name and details of their partner.

3.5. Succession Fraud

- 3.6. This is when a tenant dies, and someone applies to succeed to the tenancy and in doing so they do not tell the truth in their application e.g claiming that they lived at the property for the qualifying period when in fact they lived somewhere else or that they are not the spouse of the deceased.

3.7. Unauthorised Assignment

- 3.8. This is where the tenant undergoes a mutual exchange without the landlord's consent or when one or both parties do not tell the truth to obtain approval for a mutual exchange.

3.9. Key selling

- 3.10. This is when a tenant hands over the keys to someone else for a one-off payment.

3.11. Abandonment

This is when a tenant claims to be living at the property but actually lives elsewhere and the sole use of the property may be just to claim welfare benefits.

3.12. Fraudulent Right to Buy/Acquire Applications

This is where the tenant applies to buy the property under the Right to Buy or Right to Acquire scheme to gain a discount on the purchase price when they do not tell the truth in their application.

3.13. Abandonment

This is where a tenant moves out and leaves the property empty and abandoned without telling us. Not informing Onward Homes of this change of circumstances is tenancy fraud.

4. Tackling tenancy fraud

4.1. Onward will utilise a range of measures to tackle tenancy fraud.

4.2. Raising awareness and responding to reports

4.2.1. Onward will raise the awareness of tenancy fraud amongst its colleagues, neighbourhoods and customers through a range of platforms including social media, Onward's website, tenant engagement, targeted publicity campaigns, colleague briefings, internal publications and colleague induction. We will also, where appropriate, engage local media such as radio, television and the press.

4.2.2. We will be clear on how reports can be made in a confidential way. We will respond to and investigate all cases of suspected tenancy fraud in a professional, sensitive and confidential manner.

4.3. Prevention and detection

4.3.1. Preventative measures are the most cost-effective way of tackling tenancy fraud. Onward will:

- a. Carry out targeted tenancy audits – in areas where we know or suspect tenancy fraud, we will undertake a variety of checks to support the prevention and detection of tenancy fraud.
- b. Carry out data matching, either in-house or through external partners to identify tenancy fraud.
- c. Provide tenancy fraud awareness training to all relevant colleagues to ensure they are equipped with the right knowledge and skills to recognise the warning signs of tenancy fraud.
- d. Operate a zero-tolerance approach to tenancy fraud and in doing so will carry out thorough investigations into all reported cases of tenancy fraud.
- e. Communicate to customers the penalties for committing tenancy fraud
- f. Complete right to rent checks.
- g. Have robust checks in place at rehousing application stage, when processing Right to Buy/Acquire applications to succeed or mutually exchange and to transfer.
- h. Promote a culture of professional curiosity amongst colleagues so they are able to spot the signs of tenancy fraud and proactively try to address the issue.
- i. Make use of various tools available to help detect tenancy fraud. Where covert surveillance cameras are used we will adhere to the Surveillance Camera code of Practice. Through our neighbourhood plus approach we will be visible in our neighbourhoods and aim to get behind as many doors as possible to help us spot the signs of tenancy fraud.
- j. We will work with external partners where appropriate to assist us in investigating fraud and we will work with the Local Authority in respect of criminal offences.

4.3.2. Where subletting is detected and we have sufficient evidence, we will work with the Local Authorities to pursue cases under the Prevention of Social Housing Fraud Act 2013 and Fraud Act 2006. We will also pursue an unlawful profit order where appropriate meaning the tenant would have to pay back money they had made from the fraud.

- 4.3.3. Onward will enforce any tenancy breaches that result from tenancy fraud detection. We will also publicise examples of successful cases in order to help deter further tenancy fraud.
- 4.3.4. We will vigorously enforce Court financial orders by using the full range of enforcement tools available including freezing bank accounts, enforcing sales of owned properties and the use of Bailiffs.

4.4. Partnership working

Onward will work in partnership with local authority partners, other registered providers and a range of other agencies to prevent and detect tenancy fraud including making optimum use of information sharing protocols.

5. Regulatory requirements

- 5.1 The Regulator of Social Housing's Tenancy Standard places a requirement on registered providers to 'publish clear and accessible policies which outline their approach to tackling tenancy fraud'. Onward Homes are aware that the RSH could audit our approach to tackling tenancy fraud.

6. Links to legislation and internal policies

- a. Regulator of Social Housing Tenancy Standard
- b. Prevention of Social Housing Fraud Act 2013
- c. Fraud Act 2006
- d. Surveillance Camera Code of Practice
- e. Data Protection Act 1998
- f. Housing Act 1988
- g. Housing Act 1985
- h. Tenancy Management Policy
- i. Tenancy Policy
- j. Allocations Policy
- k. Succession Policy
- l. Right to Buy Policy
- m. Shared Ownership Sales Policy

7. Responsibility and monitoring

- 7.1. Heads of Neighbourhood Services, Neighbourhood Delivery Managers and the Leasehold Manager will be responsible for ensuring the policy is complied with.
- 7.2. Neighbourhood Specialists, Leasehold Specialists and Supported Housing Specialists will be responsible for investigating reported cases of tenancy fraud.

8. Equality Impact Assessment

An EQIA has been completed for this policy.

GLOSSARY.

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| Assignment | Assignment is when one customer transfers their tenancy to another person. |
| Succession | Succession is a legal term that describes what happens when someone has the right to inherit a tenancy after the original customer dies. |
| Right to rent check | This is the requirement in England to check that all customers who occupy properties have legal status to live in the UK. This means that before you can rent a home in England, ID checks will be undertaken. |
| Secure customers/tenants | This is a type of tenancy that is now offered to most of Onward's customers. With an assured tenancy you can normally live in your home for the rest of your life if you wanted to, as long as you do not break certain conditions such as not paying rent, causing antisocial behaviour or conducting tenancy fraud This type of tenancy provides significant security. |
| Subletting | <p>This is when a customer is letting part of their home to another person(s). As per our Tenancy Agreements, customers have the right to sublet part of their home in the sense they can take in lodgers but cannot 'part with possession' of the part of the home the lodger lives in. The customer must seek Onward's written permission to take in a lodger.</p> <p>Under no circumstances will Onward allow a customer to sublet the whole of their home.</p> |

GET INVOLVED.

Members of our Customer Engagement Community help to improve the services you receive by sharing their concerns, views and ideas, as well as taking part in activities to improve your neighbourhood and local area. The Community also works with us to shape our policies and helped to make this one easier to understand.

If you are interested in joining our Customer Engagement Community, please visit our website (onward.co.uk/get-involved), call **0300 555 0600**, or email customerengagement@onward.co.uk.

If you need any help understanding this document, please give us a call on **0300 555 0600**, send us a message on WhatsApp to **07418 344 603**, or send an email to **customerservices@onward.co.uk**.

Jeśli potrzebujesz pomocy w zrozumieniu tego dokumentu, zadzwoń do nas na numer 0300 555 0600, wyślij nam wiadomość na WhatsApp na numer 07418 344603 lub wyślij e-mail na adres customerservices@onward.co.uk.

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